

REMARKS

Claims 1 – 26 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 – 4, 12, 15, 17 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Itakura et al. (U.S. Pat. No. 4,879,982). This rejection is respectfully traversed.

Claim 1 has been amended herein to include a controller that generates an idle speed compensation signal based on a transmission load, which is based on a transmission line pressure. Claims 12 and 19 have been amended to include determining a transmission load based on a transmission line pressure.

Itakura et al. fails to teach or suggest a controller that generates an idle speed compensation signal based on a transmission load, which is based on a transmission line pressure or determining a transmission load based on a transmission line pressure. As indicated by the Examiner, the prior art does not anticipate or render obvious idle speed control of an engine that is responsive to a transmission load in combination with the transmission load being based on a transmission line pressure (see Office Action Summary mailed July 2, 2004 at page 2). Therefore reconsideration and withdrawal of the rejections are respectfully requested.

With regard to claims 2 – 4, 15 and 17, Applicants note that each ultimately depends from one of claims 1 and 12, which define over the prior art, as discussed in detail above. Therefore, claims 2 – 4, 15 and 17 also define over the prior art and reconsideration and withdrawal of the rejections are respectfully requested.

OTHER CLAIM AMENDMENTS

Claims 6 and 13 have been amended to provide that the transmission line pressure is a measured transmission line pressure. Claims 13 and 14 were amended to conform with the amendments to claim 12. Claims 25 and 26 have been amended to

respectively provide that the transmission load is based on an actual transmission line pressure and a commanded transmission line pressure.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 5 – 11, 13, 14, 16, 18 and 20 – 26 would be allowable if rewritten in independent form. Applicants have presently refrained from rewriting any of claims 5 – 11, 13, 14, 16, 18 and 20 – 26 in view of the discussion above.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (313) 665-4969.

Respectfully submitted,

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